

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re: Bryan S. Higgins : Case No. 12-59847
Mary A. Higgins : Chapter 13
Debtor(s). : Judge CALDWELL

TRUSTEE'S OBJECTION TO BALANCE OF CLAIM No. 4
FILED BY FIFTH THIRD BANK

Now comes Faye D. English, Chapter 13 Trustee ("Trustee"), and objects to payment of the balance of the claim filed by Fifth Third Bank ("Creditor") on December 4th, 2012 in the amount of \$15,217.06 pursuant to 11 U.S.C. §502, Fed. R. Bankr. P. 3007, and LBR 3007-1. \$239.09 is the balance remaining on the claim.

In support of her Objection, Trustee submits the following memorandum:

MEMORANDUM IN SUPPORT

Trustee has received correspondence and/or returned disbursement checks from Creditor indicating that its claim is paid in full and/or that Creditor has forgiven the balance owed on its claim.

Wherefore, Trustee respectfully requests that this Court enter an order disallowing the balance of the Creditor's claim. If any additional funds are returned by Creditor, Trustee requests that these amounts also be disallowed, and granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Faye D. English
Faye D. English, Chapter 13 Trustee
10 West Broad St., Ste. 900
Columbus, OH 43215
(614) 420-2555
(614) 420-2550 (fax)
Faye.english@ch13columbus.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Objection to the Balance of Claim was served (i) **electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the court and (ii) by **ordinary U.S. Mail** on July 26, 2017 and addressed to:

Bryan S. Higgins
Mary A. Higgins
744 Knight Court
Galloway, OH 43119

Fifth Third Bank
9441 LBJ Freeway, Suite 350
Dallas, TX 75243-4652

Fifth Third Bank
5050 Kingsley Dr. #Mdlmo
Cincinnati, OH 45263

Fifth Third Bank
MD# ROPS05 Bankruptcy Dept
1850 East Paris SE
Grand Rapids, MI 49546-6253

Fifth Third Bank
P.O. Box 182026
Columbus, OH 43218-2026

/s/ Faye D. English
Faye D. English (0075557), Chapter 13 Trustee

NOTICE OF OBJECTION TO BALANCE OF CLAIM

The Chapter 13 Trustee has filed an objection to the balance of your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to reduce, modify or eliminate your claim, then on or before **thirty (30) days from the date set forth in the certificate of service for the objection to the balance of claim**, you must file with the court a response explaining your position by mailing your response by ordinary U.S. Mail to:

Clerk, U.S. Bankruptcy Court
170 North High St.
Columbus, Ohio 43215

OR your attorney must file a response using the court's ECF System.

The court must **receive** your response on or before the date above.

You must also send a copy of your response either by 1) the court's ECF System or by 2) ordinary U.S. Mail to:

Faye D. English
Chapter 13 Trustee
10 West Broad St., Ste. 900
Columbus, OH 43215

United States Trustee
170 North High St., Suite 200
Columbus, Ohio 43215

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to claim and may enter an order reducing, modifying or eliminating your claim.

/s/ Faye D. English

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Columbus, OH 43215
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(614) 420-2550 (fax)
faye.english@ch13columbus.com